

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the January 13, 2006 Final Office action and the April 11, 2006 Advisory action and the application has been amended in light thereof. Claims 1-5, 7, 8, 33, 38, and 41 are presented in the application for further examination. Claims 1, 33, and 38 have been amended by this Amendment C. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested.

As a preliminary matter, Applicants request the Examiner to indicate whether the drawings submitted on June 21, 2001 are accepted.

Rejection under 35 U.S.C. §103(a)

Claims 1-5, 7-8, 33, and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fleming, III, U.S. Patent No. 6,530,018 ("Fleming patent"). Applicants disagree with the Examiner's understanding of the invention and submit that the Examiner fails to give full weight of the Applicants' argument in the March 13, 2006 response to the Final Office action. For example, the Examiner appears to be misunderstood by what a host unit, as claimed in claim 1, is because the Examiner analogized it with system 108 of the Fleming patent in the Final Office action, but changed it to unit 102 in the Advisory action. The Fleming patent is unrelated to embodiments of the invention, and the Fleming patent also does not disclose or suggest each and every element of amended claim 1.

Amended claim 1 recites: "a receiver, **on a target device**, including means for receiving an inventory-commence message from a client computer over a data network...; and a transmitter including means for transmitting **from the target device** to a host unit of the component audit and inventory management system, through the data network, an inventory data message including the inventory data associated with the target device."

Embodiments of the invention disclose a system for computer device component audit and inventory management. Embodiments of the invention enable target devices associated with a client computer to transmit hardware and/or software inventory data or a file having hardware and/or software inventory data to a host computer, which will store the data or the file in a database for further use. (See also Application, FIG. 1B).

To the contrary, the Fleming patent merely discloses “a system that retrieves and installs device driver software across a network” (Fleming, Abstract). It merely discloses how a device 102 within a computer system 108 can obtain a most up-to-date device driver for the device 102. Because the Fleming patent is unrelated to the present invention as disclosed, the Fleming patent cannot anticipate nor render the present invention obvious.

Therefore, Applicants submit that the Office fails to establish the *prima facie* elements of an obviousness rejection and that the rejection of amended claim 1 under 35 U.S.C. §103(a) should be withdrawn. Claims 2-5 and 7-8 depend from claim 1 and are also patentable over the cited art. Therefore, rejection of claims 1-5 and 7-8 under 35 U.S.C. §103(a) should be withdrawn.

Similarly, amended claim 33 recites: “**a plurality of target devices, said each of the plurality of target devices having software and hardware installed thereon...**; means for receiving hardware and software inventory data associated with the hardware and software installed on each of the plurality of the target devices associated with the client computer and collected electronically from each of the target devices , the inventory data having been collected by an inventory agent installed on each of the target devices and activated by the inventory-commence message; and means for aggregating inventory data from the plurality of target devices associated with the client computer”. Claim 33 further clarifies the invention by reciting each of the plurality of target devices having software and hardware installed thereon. The device 102 as disclosed by the Fleming patent is merely a hardware device that cannot be properly used by the computer system 108 until a driver is installed. Therefore, the Fleming patent cannot anticipate or render embodiments of the invention obvious because the Fleming patent does not disclose or suggest each and every element of amended claim 33.

Therefore, Applicants submit that the Office fails to establish the *prima facie* elements of an obviousness rejection and that the rejection of claim 33 under 35 U.S.C. §103(a) should be withdrawn. Claims 38 and 41 depend from claim 33 and should also be allowable for at least the reasons above. Hence, the rejection of claims 33, 38 and 41 under 35 U.S.C. §103(a) should be withdrawn.

For at least the reasons noted above, Applicants respectfully submit that claims 1-5, 7-8, 33, 38, and 41 are in condition for allowance and respectfully requests favorable reconsideration

of this application. Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

The Applicants wish to expedite prosecution of this application. If the Examiner deems the claims as amended to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the claims in condition for allowance.

The Commissioner is hereby authorized to charge a fee (\$120) for a one-month extension of time ending on September 13, 2006. However, if it is determined otherwise, the Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tan-Chi Yuan', with a long horizontal line extending to the right.

Tan-Chi Yuan, Limited Recognition No. L0113
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

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